

REMARKS

Claims 1-36 are pending in this application. By this Amendment, claims 1, 6, 8, 10, 15 and 27-31 are amended. No new matter is added. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Interview Summary

Applicants appreciate the courtesies shown to Applicants' representatives by Examiner Karkhanis in the May 14, 2007 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

II. Claim Rejection under 35 U.S.C. § 101

The Office Action rejects claims 27-36 under 35 U.S.C. § 101 for being directed to non-statutory subject matter. This rejection is respectfully traversed.

Applicants appreciate the Examiner's suggestions for amending claims 27-31 to satisfy the requirements of 35 U.S.C. § 101. By this amendment, claims 27-31 are amended to recite in part "[a] program stored on a computer-readable storage medium when executed to perform" (emphasis added). Thus, as acknowledged by the Examiner during the May 14, 2007 interview, claims 27-31, as well as claims 32-36 depending therefrom satisfy the 35 U.S.C. § 101 requirements.

Accordingly, withdrawal of the rejection is requested.

III. Claim Rejection under 35 U.S.C. § 102

The Office Action rejects claims 1-8 and 10-21 under 35 U.S.C. § 102(b) over <http://xbox.gamezone.com/gzreviews/r19113.htm> (Gamezone). This rejection is respectfully traversed.

Gamezone relates to a console game concerning racing of vehicles. In particular, Gamezone discloses the interaction between vehicles when two or more vehicles "crash." More specifically, Gamezone recites "[w]herever you go, there's a slow-moving vehicle just

waiting for you to crash into it." In addition to the detail of the physics of two colliding objects, Gamezone discloses a "Burn Meter" which is "filled" by the user performing "Crazy Taxi-style moves" or by the user performing a "Near Miss" move. The "Near Miss" move occurs when the user's vehicle "drives past another vehicle so closely that [the user] 'nearly' [misses the other vehicle]." Furthermore, the user can control when to expend the "speed boost" represented by the "Burn Meter." Gamezone discloses that the user can "unleash" a boost of speed by pressing and holding a button on the input device.

The Office Action asserts that Gamezone discloses the generation of an action change event in which action of the second moving object changes when it is determined that the value of the first parameter of the second moving object has reached a threshold value, as recited in claims 1, 6, 8, and 10, and as similarly recited in claims 27-31. The Office Action further asserts that Gamezone discloses determining that the first and second moving objects have been in the approach relation when a time difference between the first and second moving objects becomes smaller than a given set time difference, as recited in claim 1. Applicants respectfully submit that this assertion is incorrect.

In particular, Gamezone discloses that the parameter of the second object is changed only at the option of the user, after the occurrence of an action event. In contrast, independent claims 1, 6, 8, 10 and 27-31 similarly recite "performing processing of changing a value of a first parameter of the second moving object the first moving object and the second moving object are determined to have been in an approach relation... generating an action change event in which action of the second moving object automatically changes when the value of the first parameter of the second moving object is determined to have reached a threshold voltage." That is, upon the occurrence of an approach relation between the first and second moving objects, the first parameter of the second object is changed. Thus, unlike Gamezone wherein the characteristics of the second object are altered only upon user command, the

presently claimed invention automatically changes the characteristics (i.e., the first parameter) of the second object.

Furthermore, despite the fact that Gamezone fails to define "approach relation," the Office Action asserts that Gamezone determines that the first and second moving objects have been in the approach relation when a time difference between the first and second moving objects becomes smaller than a given set time difference. Even if Gamezone did teach the "approach relation" concept, Gamezone does not disclose that an "approach relation" occurs on the happening of an event referenced by a time difference.

Further still, both the physics of Gamezone's game and the "Burn Meter" are affected by the spatial proximity between two vehicles. The presently claimed invention, however, refers to the temporal proximity in comparison to a predetermined threshold value. This feature is recited in independent claim 1 as "determining that the first and second moving objects have been in the approach relation when a time difference between the first and second moving objects becomes smaller than a given set time difference." Thus, even if Gamezone discloses an "approach relation," the approach relation disclosed would not be congruent with the "approach relation" presently claimed.

Claims 1, 6, 8, 10, 15 and 27-31 recite in part "performing processing of moving first and second moving objects in an object space, wherein the first moving object moves behind the second moving object and the second moving object runs ahead of the first moving object." That is, another apparent distinguishing feature of the presently claimed invention relates to which object is affected by the action change event. Gamezone discloses that upon the "action change event" (i.e., the Office Action classifies this as a "Near Miss") the characteristics of the active vehicle is altered. More specifically, the vehicle (i.e., the first object when referring to the characterization given by the claims of the presently claimed invention) that "nearly misses" another vehicle (i.e., the second object when referring to the

characterization given by the claims of the presently claimed invention) receives an increase in the "Burn Meter". In contrast, after the occurrence of an "action change event" pursuant to independent claims 1, 6, 8, 10 and 15, the action of the second object is changed (see Fig. 2). That is, the characteristics of the trailing object in Gamezone are affected by the "action change event." In contrast, the presently claimed invention relates to the change in the characteristics of the leading object (the second object) upon the occurrence of an "action change event."

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Therefore, Gamezone fails to disclose the patentable features recited in independent claims 1, 6, 8, 10 and 15. Further, dependent claims 2-5, 7, 9, 11-14, 16-21 are patentable for at least the reasons that independent claims 1, 6, 8, 10 and 15 are patentable, as well as for the additional features they recite.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

IV. Claim Rejections under 35 U.S.C. § 103

The Office Action rejects claims 9 and 22-26 under 35 U.S.C. § 103 over Gamezone. This rejection is respectfully traversed.

In view of the above discussion, Gamezone fails to disclose the patentable features recited in independent claims 1, 6, 8, 10 and 15. Further, dependent claims 9 and 22-26 are patentable for at least the reasons that independent claims 1, 6, 8, 10 and 15 are patentable, as well as for the additional features they recite.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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